



Brian A. Hill
Member
(202) 626-6014
bhill@milchev.com
May 20, 2014

VIA ECF

Hon. Ronald L. Ellis
United States Magistrate Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Sokolow v. Palestine Liberation Organization, et al.* — 04-CV-397(GBD) (RLE)

Dear Judge Ellis:

On April 23, 2014, in violation of February 10, 2014 ruling by you, Plaintiffs hand-delivered a letter to you, along with a 25-page “Memorandum of Law in Support of Plaintiffs’ Motion for Discovery Sanctions” and a Declaration of Kent A. Yalowitz referencing 86 accompanying exhibits. DE 482. On April 30, 2014, you referred Plaintiffs to your February 10, 2014 ruling, denied them leave to file their Memorandum of Law and ordered the Clerk of Court to strike it from the Docket. DE 483. On May 6, 2014, Plaintiffs asked Judge Daniels to extend the deadline for the filing of Rule 72 Objections to your April 30, 2014 order. DE 495. Judge Daniels denied that request on May 12, 2014. DE 503. Plaintiffs never filed Rule 72 Objections to either your February 10, 2014 ruling regarding briefing or your April 30, 2014 order, and the time period for doing so has expired.

Instead, on May 15, 2014, Plaintiffs re-filed under seal the Memorandum of Law which you had already denied them leave to file and ordered to be stricken from the record. DE 507. In the accompanying letter to you, Plaintiffs challenge your authority to deny them leave and thus effectively dismiss your February 10, 2014 ruling and April 30, 2014 order as having no force or effect.

Defendants continue to disagree strongly with the assertions contained in Plaintiffs’ May 15, 2014 filing and oppose Plaintiffs’ request for sanctions. However, given the Court previous rulings, Defendants do not intend to file an opposition to Plaintiffs’ May 15 filing, including the accompanying letter, unless directed by the Court to do so. In taking that position, Defendants want to ensure that Plaintiffs’ May 15 submission will not be taken as conceded in the meantime simply because Defendants, in compliance with your rulings, do not make a responsive filing. If you would like Defendants to file a response to Plaintiffs’ May 15 submission, we respectfully ask that you set a deadline for two weeks after giving Defendants such direction.

Sincerely,

A handwritten signature in blue ink, appearing to read "B A Hill".

Brian A. Hill